REMARKS/ARGUMENTS

The Office Action dated November 16, 2005 and the references cited therein have been carefully considered. In response to the Office Action, Applicants have amended Claims 1, 10, 14, 15 and 19, canceled Claim 18 and added new Claims 20 and 21 which, when considered with the remarks set forth below, are deemed to place the case in condition for allowance. As a result of the present Amendment, Claims 1-17 and 19-21 remain in the case for continued prosecution.

In the Office Action, Claim 9 has been allowed. Claims 1-8 and 10-19, however, have been rejected based on prior art. In particular, Claims 1, 5-8, 10-13, 16, 18 and 19 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,518,069 to Maier-Laxhuber et al. and Claims 2, 3, 4, 14, 15 and 17 have been rejected as being obvious over the `069 patent in view of U.S. Patent No. 5,664,427 to Rockenfeller et al., U.S. Patent No. 5,992,168 to Pfister et al., U.S. Patent No. 6,824,592 to Monzyk et al. and U.S. Patent No. 6,701,724 to Smith et al.

Independent Claim 1

In response, Applicants have amended independent Claim 1 to define a thermally insulate cooling container defining an inner chamber for containing an item to be cooled and including a door for opening and closing the inner chamber. A sorber container is disposed outside the cooling container, while an evaporator is disposed inside the inner chamber of the cooling container. It is respectfully submitted that none of the cited references, taken alone or combined, describes a cooling container having a door for opening and closing an inner chamber of the cooling container, as defined in amended Claim 1.

In the Office Action, the Examiner has taken the position that the inlet and the outlet of the cooling container shown in Figure 1 of the `069 patent can be considered inlet and outlet doors. Applicants respectfully disagree.

First, by definition, a door is "a movable structure for opening and closing an entrance." *Webster's New World Dictionary and Thesaurus,* p. 182 (1996). There is absolutely no structure shown or described in the `069 patent for opening and closing the disclosed inlet or outlet of the cooling container. Therefore, the inlet and outlet disclosed in the `069 patent can not be considered doors, as defined in Claim 1.

Second, Claim 1 has been amended to make clear that the function of the cooling container door is "for opening and closing said inner chamber" of the cooling container. Again, there is no teaching or suggestion in the `069 patent of providing any structure to the cooling container (10) for opening and closing an inner chamber thereof. Accordingly, it is respectfully submitted that Claim 1, as amended, and the claims that depend therefrom, patentably distinguish over the prior art.

Independent Claim 10

Independent Claim 10, as amended, defines a method for cooling a thermally insulated cooling container with a sorption cooling apparatus. The method includes the steps of providing a sorber container outside the cooling container, providing an evaporator inside an inner chamber of the cooling container and passing an air stream from outside the cooling container over the evaporator with an evaporator blower of the sorption cooling apparatus during a desorption phase, wherein the inner chamber of the cooling container is adapted for containing an item to be cooled by the sorption cooling apparatus. It is respectfully submitted that none of the cited references, taken alone or combined, describes an inner chamber of a cooling container adapted to contain both an evaporator, as well as an item to be cooled by the sorption cooling apparatus, as defined in amended Claim 10.

Specifically, the cited primary `069 patent to Maier-Laxhuber describes a sorption apparatus 20 for heating and cooling an interior compartment (not shown) of an automobile. Importantly, the sorption apparatus 20 is separate and apart from the interior compartment of the automobile. More particularly, the evaporator 7 of the disclosed sorption apparatus is not disposed in the interior compartment of the automobile, as defined in amended Claim 10.

Instead, the evaporator 7 is contained in a "thermal insulating hood 10" which in turn communicates with the interior compartment of the automobile via a conduit. (See Figure 1 and column 4, lines 31-37.) Also, the thermal insulating hood 10 disclosed in the `069 patent cannot be considered a cooling container, as defined in amended Claim 10, because it does not define an inner chamber for containing an item to be cooled by the sorption cooling apparatus. Accordingly, it is respectfully submitted that independent Claim 10, as amended, patentably distinguishes over the `069 patent.

Independent Claims 14 and 15

Independent Claims 14 and 15 have been amended to define a method for cooling a thermally insulated cooling container with a sorption cooling apparatus, wherein a sorber container is disposed on an upper outer surface of the cooling container and an evaporator is disposed on a ceiling inside the cooling container below the sorber container. It is respectfully submitted that none of the cited references, taken alone or combined, describes this type of an arrangement of a sorber container and an evaporator, as defined in amended Claims 14 and 15.

In particular, the sorber container (2) disclosed in the `069 patent is not disposed on an upper outer surface of the so called cooling container (10). Instead, as clearly shown in Figure 1, the sorber container (2) and the cooling container (10) are disposed in a side-by-side arrangement, and are only connected via a steam line (6). Moreover, the evaporator (7) disclosed in the `069 patent is not disposed on a ceiling inside the cooling container (10) below the sorber container, as defined in amended Claims 14 and 15. Accordingly, it is respectfully submitted that independent Claims 14 and 15, as amended, patentably distinguish over the `069 patent.

Dependent Claim 19

Dependent Claim 19 has been amended to define the cooling container as having a door for opening and closing the inner chamber of the cooling container. As set forth above, with respect to Claim 1, none of the cited references, taken alone or combined, describes a cooling container having a door for opening and closing an inner chamber of the cooling container, as defined in amended Claim 19. Accordingly, it is respectfully submitted that Claim 19, as amended, patentably distinguishes over the prior art.

New Dependent Claim 20

Applicants have added new dependent Claim 20, which depends from Claim 1 and further defines the sorber container as being disposed on an upper outer surface of the cooling container and the evaporator as being disposed on an inner ceiling of the cooling container, below the sorber container. As set forth above, with respect to Claims 14 and 15, none of the cited references, taken alone or combined, describes this type of an arrangement of a sorber container and an evaporator, as defined in new Claim 20. Accordingly, it is respectfully submitted that new Claim 20 patentably distinguishes over the prior art.

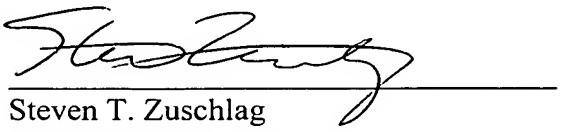
New Dependent Claim 21

Applicants have also added new dependent Claim 21. New Claim 21 depends from Claim 1 and further defines an air baffle plate disposed adjacent the evaporator for screening the evaporator against the inner chamber of the cooling container. It is respectfully submitted that none of the cited references, taken alone or combined, teaches or suggests an air baffle plate situated inside a cooling container near an evaporator to screen the evaporator against an inner chamber of the cooling container. Accordingly, it is respectfully submitted that new Claim 21 patentably distinguishes over the prior art.

Conclusion

In view of the foregoing amendment and remarks, favorable consideration and allowance of the application with Claims 1-17 and 19-21 are respectfully solicited. If the Examiner believes that a telephone interview would assist in moving the application toward allowance, he is respectfully invited to contact the Applicants' attorney at the telephone number listed below.

Respectfully submitted,



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